

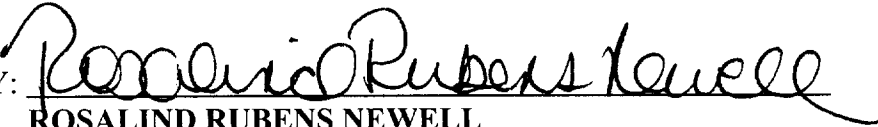
Entered - 11/19/99 - sb
CL99L0765 - DIANNE C. MITCHELL

01-*R*-0377

CLAIM OF: **CLARENCE AND EVA BATES,**
through their attorney,
Patrise M. Perkins-Hooker
794 Juniper Street, NE
Atlanta, Georgia 30308

For damages alleged to have been sustained as a result of the delay
in the processing of a local assistance grant for 1998 and 1999 at
1750 Sandtown Road, SW.

THIS ADVERSE REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0765

Date: March 1, 2001

Claimant /Victim CLARENCE AND EVA BATES
BY: (Atty)(Ins. Co.) Patrise Perkins-Hooker
Address: 794 Juniper Street, NE, Atlanta, Georgia 30308
Subrogation: Claim for Property damage \$ not stated Bodily Injury \$
Date of Notice: 11/05/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) x
Date of Occurrence 09/24/99 Place: 1750 Sandtown Road, SW
Department Planning, Development and Neighborhood Conservation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege that their application for a local assistance grant to operate an outdoor summer camp for children had been delayed. The investigation determined that the claimant's received their grant funding on March 6, 2000 and April 6, 2000.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Patrise Perkins-Hooker Concur/date 03-02-01
Committee Action: Council Action

Johnson, Freeman & Perkins-Hooker, LLC

ATTORNEYS AT LAW

Horace J. Johnson, Jr.
Ronald J. Freeman
Patrise Perkins-Hooker
Clarence R. Johnson, Jr.
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Peachtree Office
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Maureen M. McLeod
Chad R. Henderson
Cynthia W. Roseberry

November 4, 1999

NOV - 5 1999

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Covington, Georgia 30015
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Arnold Ragus - Of Counsel

ENTERED - 11-19-99 - SB
99L0765 - DIANNE MITCHELL

Reply to: Peachtree Office

Mayor Bill Campbell
City of Atlanta
68 Mitchell Street, Suite 1200
Atlanta, Georgia 30303

Via Fax and Regular Mail

RE: Local Assistance Grant to House of Love & Hope, Inc.

Dear Mayor Campbell:

I am writing on behalf of my clients, Clarence and Eva Bates and The House of Love & Hope, Inc. to eliminate the delay in the processing of a Local Assistance Grant which they received from the Georgia Legislature which is to be funded through the City of Atlanta. My clients applied in July for the grant and with the assistance of Representative Pam Stanley they were able to obtain approval for the same. This grant was to defray costs associated with their operations of a 1998 and a 1999 outdoor summer camp for children held on property located at 1750 Sandtown Road in Southwest Atlanta. Based upon the approval of this grant, my client The House of Love & Hope, Inc. moved forward with hosting the second summer camp. A copy of the notification letter regarding the award is attached hereto, in addition to a copy of the Application which contains your signature approving the same.

My office personally shepherded the grant through the State Department of Community Affairs, retrieved the Grant Contract from Mr. Stevens on September 24, 1999 and I personally delivered the contract to the appropriate individual in your office on the same day. I have called Mr. DeWayne Martin's office several times a day for the first two weeks that the contract was submitted and I have checked on its status occasionally since then. It is clear to me that this document has not been processed like the other grants which have been awarded by the State. It is also clear to me that my client's contract is intentionally being held up due to political reasons. This is unfortunate given the fact that the organization incurred costs to run the program. As you know, my clients were counting on this grant and they are the third party beneficiaries of the funds which are being held.

Mayor Campbell
November 4, 1999
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I am calling this situation directly to your attention, so that you can avoid the necessity of me having to file an action for breach of contract and detrimental reliance of a third party beneficiary. I will file the same within seven (7) days if the Grant Contract is not executed. My client has everything to lose, so it is interested in moving forward with commitments made to it as soon as possible.

If you have any questions regarding the above information, please contact me.

Sincerely,

JOHNSON, FREEMAN & PERKINS-HOOKER, LLC



— Patrice M. Perkins-Hooker, Esq.

PPH/mwf
Enclosure

cc: Susan Langford, Esq.
Representative Pam Stanley
Eva Bates
Marie Crowser